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Honorable Robert D Drain
United States Bankruptcy Judge – Southern District of New York
One Bowling Green
New York, NY 10004-1408

Subject: Docket No. 05 44481 Delphi Corporation
Objection to Master Disposition Agreement
Article 9.5.11 (Salaried Severance Plan Provisions)

Dear Honorable Judge Drain,

I am a May 1st Severanced Delphi Salaried Employee with April 17, 2009 signed Separation Allowance Plan Release of Claims. The May 1st date was chosen by Delphi and is the time category most adversely impacted by 9.5.11 Section A. The referenced Delphi Severance Allowance Plan is dated February 5, 2009.

- 1) The Severance Release of Claims Agreement is a post petition obligation of Delphi Corporation.
- 2) The 9.5.11 Severance creates a situation where a fellow employee with 32 days more post petition service is granted the full separation allowance while others are not. In my case, my date is the most adversely impacted by this provision.
- 3) I have credited service toward a pension (32 years and 1 months credited service currently listed in Delphi's records). That level of credited service qualifies for an Early Retirement option under an intact Delphi Salaried Retirement Plan. The Pension Benefit Guarantee Corporation includes a 3 year look back which places a cloud over eligibility for the 30 year service early retirement eligibility. Additionally, my credited service is under review for corrections associated with a time period of employment by a GM joint venture that ended in bankruptcy related to fraudulent actions of the German joint venture partners and German operating companies. This provides an example of how the potential for legal complications grow with length of service.

I urge the modification of section 9.5.11 to incorporate the fair treatment of all employees. There are already great inequities built in. Hourly employees have retained an intact retirement program and health coverage.

Thank you for your consideration.



Randy D. Austin